

MINUTES

**CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

NOVEMBER 21, 2012

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

REGULAR MEETING – 6:00 P.M.

REGULAR MEETING CALL TO ORDER

MAYOR JANNEY called the Regular Meeting to order at 6:00 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Bragg, Bilbray
Councilmembers absent:	King
Mayor present:	Janney
Mayor Pro Tem present:	Spriggs
Staff present:	City Manager Brown; City Attorney Lyon; City Clerk Hald

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

MOTION BY BRAGG, SECOND BY SPRIGGS, TO TAKE ITEM NOS. 6.1 AND 7.1 IMMEDIATELY AFTER PRESENTATIONS AND TO PULL ITEM NO. 2.5 FOR DISCUSSION IMMEDIATELY AFTER THE CONSENT CALENDAR. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS: BILBRAY, BRAGG, SPRIGGS, JANNEY
NOES:	COUNCILMEMBERS: NONE
ABSENT:	COUNCILMEMBERS: KING

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/ REPORTS ON ASSIGNMENTS AND COMMITTEES

COUNCILMEMBER BRAGG reported on her attendance at the MTS Board meeting. She announced that there will be a security officer on the Blue Line after 8:30 p.m. starting on December 1, 2012.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

PRESENTATIONS (1)

None.

REPORTS (6.1)

**6.1 DESIGN REVIEW BOARD – THREE (3) TERMS EXPIRING DECEMBER 31, 2012.
(0120-30)**

MAYOR JANNEY recommended the reappointment of Janet Bowman, Harold Phelps, and Shirley Nakawatase.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO REAPPOINT MEMBERS JANET BOWMAN, SHIRLEY NAKAWATASE, AND HAROLD PHELPS TO THE DESIGN REVIEW BOARD IN ACCORDANCE WITH CHAPTER 2.18.010.C OF I.B.M.C. FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2013 AND EXPIRING DECEMBER 31, 2016. MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: COUNCILMEMBERS: BILBRAY, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: KING**

MAYOR JANNEY thanked Janet Bowman, Danny Lopez, Shirley Nakawatase, Harold Phelps, and Tom Schaff for their dedicated service on the Design Review Board and he recognized Shirley Nakawatase for serving on the Board for over 20 years.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (7.1)

**7.1 2003 TAX ALLOCATION BOND - NOVEMBER 2012 DEBT SERVICE PAYMENT.
(0418-50)**

See Special Meeting Minutes of January 21, 2012.

CONSENT CALENDAR (2.1-2.4)

CITY ATTORNEY LYON announced that a revised staff report and revised Resolution No. 2012-7271 were submitted as last minute agenda information for Item No. 2.4.

MOTION BY BRAGG, SECOND BY SPRIGGS, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.4. MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: COUNCILMEMBERS: BILBRAY, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: KING**

2.1 MINUTES.

Approved the minutes of the Special Workshop Meeting of July 11, 2012, the Special Closed Session Meeting of November 7, 2012 and the Regular City Council Meeting of November 7, 2012.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 81459 through 81548 with a subtotal amount of \$1,564,581.12 and Payroll Checks/Direct Deposit 44952 through 44973 for P.P.E. 11/01/12 for a subtotal amount of \$140,740.63 for a total amount of \$1,705,321.75

2.3 RESOLUTION NO. 2012-7273 AWARDED A TEMPORARY CUSTODIAL CONTRACT TO JANI-KING OF CALIFORNIA, INC. (0900-20)

Adopted resolution.

2.4 RESOLUTION NO. 2012-7271 APPROVING AND ADOPTING THE SIDELETTER OF AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221 (SEIU). (0540-50)

Adopted resolution.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

2.5 RESOLUTION NO. 2012-7268 AUTHORIZING THE CITY MANAGER TO SIGN A COMMITMENT LETTER TO THE 2012 RECOVERY STRATEGY FOR THE TIJUANA RIVER VALLEY. (0770-87)

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER reported on the item.

MAYOR PRO TEM SPRIGGS stressed the importance of the Tijuana River Valley to the region as well as the need for a clean Tijuana River. He questioned the specific efforts involved with the strategy plan and what the cost is to participating agencies.

ENVIRONMENTAL PROGRAM MANAGER HELMER responded that the strategy is to have a collaborative effort between the U.S. and Mexico to control sediment and bacteria. Examples of projects include building sedimentation basins and cleaning up trash on the other side of the border. He spoke about the possibility of participating agencies, such as Imperial Beach working on projects that are funded by grants.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2012-7268 AUTHORIZING THE CITY MANAGER TO SIGN A COMMITMENT LETTER TO THE 2012 RECOVERY STRATEGY FOR THE TIJUANA RIVER VALLEY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: KING

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING & ADOPTION (4.1)

4.1 ORDINANCE NO. 2012-1131, CHAPTER 13.14 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE REGULATION OF FATS, OILS AND GREASE DISPOSAL IN THE SEWER COLLECTION SYSTEM AND AMENDING SECTION 13.04.040 OF THE IMPERIAL BEACH MUNICIPAL CODE. (0830-95)

CITY MANAGER BROWN reported on the item.

MAYOR JANNEY called for the second reading of the title of Ordinance No. 2012-1131.

CITY CLERK HALD read the title of Ordinance No. 2012-1131 "ADDING CHAPTER 13.14 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE REGULATION OF FATS, OILS AND GREASE DISPOSAL IN THE SEWER COLLECTION SYSTEM AND AMENDING SECTION 13.04.040 OF THE IMPERIAL BEACH MUNICIPAL CODE".

MOTION BY SPRIGGS, SECOND BY BRAGG, TO DISPENSE WITH THE SECOND READING, TO WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2012-1131 BY TITLE ONLY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: KING

PUBLIC HEARINGS (5.1)

5.1 RESOLUTION NO. 2012-7272 IMPLEMENTING THE PROVISIONS OF SENATE BILL 1186. (0390-40 & 0390-95)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER WADE reported on the item.

CITY CLERK HALD announced no public speaker slips were submitted.

MAYOR JANNEY closed the public hearing.

MOTION BY BRAGG, SECOND BY SPRIGGS, TO APPROVE AND ADOPT RESOLUTION NO. 2012-7272 IMPLEMENTING THE PROVISIONS OF SENATE BILL 1186. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: KING

MOTION BY SPRIGGS, SECOND BY BRAGG, TO AUTHORIZE A SUPPLEMENTAL OF \$2,200 FOR FY 2012-13 IN THE COMMUNITY DEVELOPMENT, BUILDING DIVISION TO COVER THE COSTS OF IMPLEMENTING THE CASP PROGRAM. THE FUNDS ARE DEDICATED TO PAY FOR THE COSTS FOR TRAINING AND CERTIFICATION OF EXISTING STAFF TO BECOME AN ACCESS SPECIALIST (CASP), TO DEVELOP "BEST PRACTICES" GUIDELINES, AND TO PAY FOR DEVELOPMENT OF MORE EDUCATIONAL AND TRAINING RESOURCES TO PROMOTE COMPLIANCE WITH ADA. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: KING

REPORTS (6.2-6.4)

6.2 RESOLUTION NO. 2012-7267 AUTHORIZING CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE SAN DIEGO UNIFIED PORT DISTRICT (PORT DISTRICT) FOR THE ALLOCATION AND USE OF UP TO \$150,000 OF THE PORT DISTRICT'S APPROVED FISCAL YEAR (FY) 2014-2018 CAPITAL IMPROVEMENT PROGRAM (CIP) FUNDS FOR CONSTRUCTION OF THE DATE AVENUE STREET END IMPROVEMENT. (0150-70 & 0720-20)

MAYOR JANNEY announced Item No. 6.2 was removed from the agenda.

6.3 RESOLUTION NO. 2012-7269, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH CREATING THE TEMPORARY POSITION OF SPECIAL PROJECTS MANAGER AND ADOPTING THE JOB DESCRIPTION; AND RESOLUTION NO. 2012-7270, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH APPOINTING MICHAEL MCGRANE AS SPECIAL PROJECTS MANAGER AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SPECIAL PROJECTS MANAGER EMPLOYMENT AGREEMENT. (0510-20 & 0530-50)

CITY MANAGER BROWN introduced the item.

CITY ATTORNEY LYON noted for the record that the effective date of the agreement should be November 21, 2012 on page 1 of Resolution No. 2012-7270.

In response to Mayor Pro Tem Spriggs' concern about the employment agreement not listing specific tasks and responsibilities, CITY MANAGER BROWN stated that the tasks will be specific to the winding down of redevelopment.

MOTION BY BRAGG, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2012-7269 CREATING THE TEMPORARY POSITION OF SPECIAL PROJECTS MANAGER AND ADOPTING THE JOB DESCRIPTION. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, BRAGG, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: KING

MOTION BY BILBRAY SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2012-7270 APPOINTING MICHAEL MCGRANE AS SPECIAL PROJECTS MANAGER AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SPECIAL PROJECTS MANAGER EMPLOYMENT AGREEMENT. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, BRAGG, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: KING

6.4 AFFIRMATION OF ADVERTISEMENT OF REQUEST FOR BIDS (RFB) FOR THE ECO-BIKEWAY CONSTRUCTION PROJECT (CIP S05-104). (0680-20)

CITY MANAGER BROWN reported on the item.

City Council discussion ensued. Concern was raised about the project running into the summer months, conflicting with the Sun and Sea Festival, and impacting traffic flow. It was suggested that the project either start earlier or have a shortened project schedule.

PUBLIC WORKS DIRECTOR LEVIEN stated that it is possible to complete the project on schedule, however, unforeseen circumstances could arise resulting in a delay of work. He also stated that it would be a challenge to shorten the project schedule.

November 21, 2012

MOTION BY JANNEY, SECOND BY BILBRAY, TO PROCEED WITH THE ADVERTISEMENT AND OPENING OF BIDS. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: BRAGG

ABSENT: COUNCILMEMBERS: KING

ADJOURNMENT

MAYOR JANNEY announced the Oath of Office Ceremony will take place on December 5th, the December 19th meeting will be cancelled and a Special Meeting will be held on December 12th.

Mayor Janney adjourned the meeting at 7:15 p.m.

/s/

James C. Janney, Mayor

/s/

Jacqueline M. Hald, MMC

City Clerk